

## Section 155 - Disposal of Unclaimed Property

**155.01 Custody of Property Belonging to Others.** All property belonging to others, which lawfully comes into the possession of the City in the course of municipal operations shall be kept in the custody of the Police Chief until claimed by its owner. Such property shall be surrendered to the owner only upon proof of ownership satisfactory to the Police Chief, and the payment of any fees, penalties or charges required by State Law or this Code.

**155.02 Disposal of Unclaimed Property.** Any such property which has been in the custody of the Police Chief for a period of 60 days may be sold in accordance with either of the methods provided in Subd 1 and Subd 2 of this Subsection. All proceeds of the sale, less costs attributable to the sale, shall be delivered to the Treasurer and deposited in a fund entitled "General Fund-Sale of Property". If the owner of any such property sold in accordance with this Section shall furnish evidence of ownership satisfactory to the Police Chief within six months after the date of sale, the Treasurer shall deliver to said owner the proceeds of the sale of the property less any costs attributable to the sale.

Subd 1 **Public Sale.** Unclaimed property may be sold to the highest bidder at a public sale following not less than ten days prior notice published in the official newspaper of the City.

Subd 2 **Private Sale.** The City, at any time and from time to time, may enter into contracts with nonprofit organizations that have a significant mission of community service, for the purpose of disposing of unclaimed property through the sale of such property by such nonprofit organizations. If the City so contracts, unclaimed property shall be disposed of in accordance with the terms and conditions set out in such contracts.

**155.03 Record.** A record shall be kept listing each item of property, the date and circumstances under which possession by the City was acquired, the date of publication of notice of public sale if sold pursuant to Subd 1 of Subsection 155.02, the date the property was transferred to a non-profit organization if sold pursuant to Subd 2 of subsection 155.02, the date of sale, and the proceeds of the sale less any costs attributable to the sale.

**155.04 Exception.** This Section shall not apply to abandoned motor vehicles as defined in Section 1415 of this Code, or to property forfeited to the City pursuant to M.S. 609.53 through 609.5317.

*History: Ord 131 codified 1970; amended by Ord 131-A1 8-23-73; Ord 1997-6, 7-7-97*

*Reference: M.S. 168B, 471.195, 609.53 through 609.5317*

*Cross Reference: Section 1415*